

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Jeffry Jovan Philyaw and David Kent Mathews  
Serial No.: 09/382,423  
Confirmation No.: 5217  
Filed: August 24, 1999  
Group: 2611  
Examiner: Rueben M. Brown  
For: METHOD AND APPARATUS FOR UTILIZING AN AUDIBLE  
SIGNAL TO INDUCE A USER TO SELECT AN E-COMMERCE  
FUNCTION

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

This communication is responsive to the Legal Instrument Examiner's Notice mailed August 11, 2006. The Amendment previously submitted on August 8, 2006 has been revised accordingly and is being submitted herewith.

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT  
SERIAL NO. 09/382,423  
ATTY. DKT. NO. PHLY-24,739

Applicant(s) believe no fee is due; however, please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,739 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,  
HOWISON & ARNOTT, L.L.P.  
Attorneys for Applicant(s)

/Gregory M. Howison Reg. #30646/  
Gregory M. Howison  
Registration No. 30,646

GMH/sjg

P.O. Box 741715  
Dallas, Texas 75374-1715  
Tel: 972-479-0462  
Fax: 972-479-0464  
September 6, 2006